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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

In re Application of
Call et al.
Application No.: 10/585,216
PCT No.: PCT/US2004/043950
Int. Filing Date: 29 December 2004
Priority Date: 30 December 2003
Attorney Docket No.: D0504.7009US00
(L0619.70003US01)
For: Thiophene Derivatives For Up-
Regulating HLA-DM Activity

DECISION

The petition to revive under 37 CFR 1.137(b) filed on 27 August 2008 in the above-captioned application is hereby **DISMISSED**, without prejudice, as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. However, regarding the "required reply," the declaration filed on 27 August 2008 includes an un-initialed alteration of inventor Wucherpfennig's citizenship (that is, the addition of "/USA"). Therefore, since the declaration is defective, petitioner has not satisfied the "required reply" requirement.

If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Mail Stop PCT, Alexandria, VA 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459